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GOVERNOR OF HAWAII



**STATE OF HAWAII  
DEPARTMENT OF LAND AND NATURAL RESOURCES**

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**CARTY S. CHANG**  
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BOARD OF LAND AND NATURAL RESOURCES  
COMMISSION ON WATER RESOURCE MANAGEMENT

**KEKOA KALUHIWA**  
FIRST DEPUTY

**W. ROY HARDY**  
ACTING DEPUTY DIRECTOR - WATER

AQUATIC RESOURCES  
BOATING AND OCEAN RECREATION  
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COMMISSION ON WATER RESOURCE MANAGEMENT  
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ENGINEERING  
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HISTORIC PRESERVATION  
KAHOOLAWE ISLAND RESERVE COMMISSION  
LAND  
STATE PARKS

**Testimony of  
CARTY S. CHANG  
Interim Chairperson**

**Before the House Committees on  
WATER AND LAND  
and  
OCEAN, MARINE RESOURCES, AND HAWAIIAN AFFAIRS**

**Friday, April 17, 2015  
11:00AM  
State Capitol, Room 325**

**In consideration of  
SENATE CONCURRENT RESOLUTION 14  
AUTHORIZING THE ISSUANCE OF A TERM, NON-EXCLUSIVE EASEMENT  
COVERING A PORTION OF STATE SUBMERGED LANDS AT KAHALUU,  
KOOLAUPOKO, OAHU, FOR THE USE, REPAIR, AND MAINTENANCE OF THE  
EXISTING SEAWALL**

Senate Concurrent Resolution 14 requests the authorization to issue a term, non-exclusive easement covering 31,266 square feet, more or less, portion of state submerged lands fronting the property identified as tax map key: (1) 4-7-011: seaward of 001, at Kahaluu, Koolau-poko, Oahu for use, repair, and maintenance of existing seawall constructed thereon, pursuant to Section 171-53, Hawaii Revised Statutes (HRS). **The Department of Land and Natural Resources ("Department") supports this concurrent resolution.**

The current owner of the abutting property, Kahaluu Pond, Inc., obtained a 30-year term easement from the Board of Land and Natural Resources ("Board") commencing from 1984. In view of the expiration date in 2014, the owner requested the Board issue a new 55-year term easement for the same purpose. As required by Section 171-53, HRS, the Board may lease submerged lands "with the prior approval of the Governor and the prior authorization of the Legislature by concurrent resolution". At its meeting on October 11, 2013, under agenda item D-6, the Board approved the issuance of a term, non-exclusive easement for seawall purposes. In addition, the Board authorized the issuance of a right-of-entry to Kahaluu Pond, Inc. for seawall purposes until the execution of the easement document.

The Department hired the appraisal firm of Appraisal Hawaii, Inc. who determined the one-time payment fair market value of the easement is \$4,060.